

## Equity Jurisprudence

Elmer D. Goodland

Follow this and additional works at: <http://scholarship.law.marquette.edu/mulr>



Part of the [Law Commons](#)

---

### Repository Citation

Elmer D. Goodland, *Equity Jurisprudence*, 12 Marq. L. Rev. 175 (1928).  
Available at: <http://scholarship.law.marquette.edu/mulr/vol12/iss2/15>

This Article is brought to you for free and open access by the Journals at Marquette Law Scholarly Commons. It has been accepted for inclusion in Marquette Law Review by an authorized administrator of Marquette Law Scholarly Commons. For more information, please contact [megan.obrien@marquette.edu](mailto:megan.obrien@marquette.edu).

in the evidence would not in and of itself affect the conclusion reached a different significance is given the situation, "in view of the direct testimony as to the moving purpose of District No. 21 to restrain and prevent plaintiff's competition." Does the presence of a given motive lying in men's minds make their acts an interference with interstate commerce which acts, in the absence of such motive, are not interference? Mr. Black does not go into this matter, omitting entirely the second Coronado case. This is true of the Text as well as the Case Book.

Throughout, the author aims to state the law as it stands, gleaned from certain important cases, making no effort to go beyond into the facts of economic struggles lying behind most of the cases. Hence he is troubled little by the inconsistencies of court decisions or the variegated economic phenomena which scarcely lend themselves to categorical treatment. He gives no evidence that the case system using precedent for determining rights and duties is proving more and more inadequate under the new industrialism. If he is writing for practitioners all this is excusable but students should be informed of the struggles going on.

EMERSON P. SCHMIDT

**Equity Jurisprudence**—Edited by Sherman Steele, Loyola University School of Law, Chicago. Published by Prentice-Hall, Inc. New York. 897 pages.

The study of equity has usually been a source of discouragement to the average law student. One of the greatest contributions to the difficulties of this subject has been the lack of a good, modern textbook. To Sherman Steele goes the honor of overcoming this difficulty.

Heretofore the textbooks have featured old English cases which at best are hard to understand and because of their archaic phraseology one has had to dig down and pull out the law by the eye teeth. While a certain number of leading English cases are essential for a proper foundation of the subject, the need of a modern case book which would bring the law down to the present, has been apparent for several years.

This book is a careful and thorough compilation of cases down to the present time, with the great emphasis upon American decisions. In a cursory glance one will find a great many cases which have been decided in the last ten years.

The author has avoided those cases which are greatly involved and has so arranged them as to leave out a great deal of extraneous material. He has slightly restated the facts in some of the cases so as to make them more easily understandable, but at the same time has impaired nothing of importance to a complete understanding of the case.

Another important innovation, which will be welcomed by every student, is a brief text which precedes each chapter. This text is just sufficient to correlate the cases which immediately follow, and gives the student a general view of the subject about to be taken up. To the writer, this is an ideal method of handling the study of law by the use of case books. It is an unvaluable aid to an intelligent understanding of the subject.

It is the writer's firm opinion that this book fills a gap in the study of equity which heretofore has been a stumbling block to students in their endeavor to master this difficult phase of the law.

ELMER D. GOODLAND